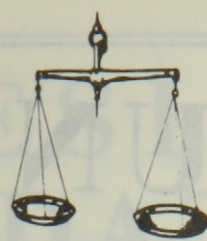


Quid Novi



VOL. VII NO. 11

McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT UNIVERSITE MCGILL

November 26, 1986
le 26 novembre 1986

Faculty Council Considers Law Preparatory Year Proposal

by Gary Nachshen
and Debbie Raicek

At its last meeting, Faculty Council was presented with a proposal to add a new Law Preparatory year for most CEGEP applicants. The proposal calls for virtually all students accepted into the Faculty of Law from the CEGEPs to first spend an intermediate year studying in the Faculty of Arts. They would have to choose most of their courses from a list made up mainly of social science and humanities offerings, and attain a minimum GPA of 3.4 to be allowed to proceed into B.C.L. 1.

The Faculty of Law and Faculty of Arts have been holding discussions since last winter on the outlines of the new Law Preparatory year, which is modelled after the Medical Preparatory programme operated by McGill's Faculty of Medicine. Should the proposal be adopted, it will be phased in

beginning in 1988-89, with the number of students being admitted directly from CEGEP into B.C.L. 1 declining over the two or three years following to no more than a handful. (The Admissions Committee would retain discretion to admit a few students directly into the Faculty of Law, but the proposal envisions virtually all

successful CEGEP applicants being accepted only into the Law Preparatory year and not into B.C.L. 1.)

In a memo accompanying the proposal, Admissions Committee member Professor David Stevens described its rationale. Stevens wrote that "we think

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QUOTES OF THE WEEK

Prof. Haanappel, trying to schedule a make-up class for Obligations IIA:

"I no longer bring a pack of cigarettes, so I don't have a calendar."

Prof. Grey, re: unreasonable search and seizure:

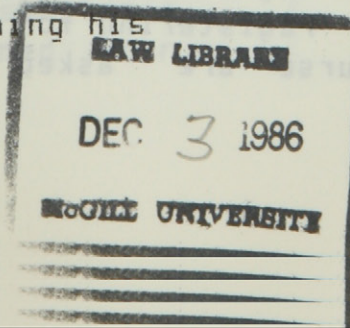
"Searching somebody's pocket is different from searching his rectum."

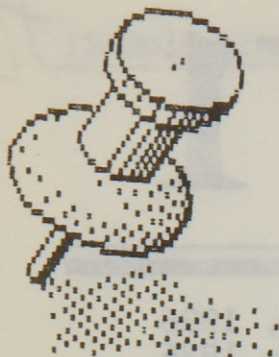
Prof. Brierley in canvassing the different forms of wills in the course of "Successions":

"Lawyers cannot make notarial wills...that is what notaries are for."

Prof. Sklar in Common Law Evidence:

"The three most important events of your life are birth, marriage, death and Tenure."





ANNOUNCEMENTS

Skit Nite News

Over the holidays, start thinking of ideas for this year's Law Skit Nite. We will be inviting offers for skits commencing early in the next term. As well, we need a design and a logo for this year's show. All interested students should contact Ken Aboud or Kevin Kyte, or leave a message for them at SAO. Everyone is encouraged to get involved.

Attention: All Students

A listing reflecting the present eligibility of candidates who will receive the BCL/LL.B degree at the Spring Convocation is now posted in the Students Affairs Office. Graduating students are requested to check these lists.

All term essays and papers written as part of a course are due at the Student Affairs Office on the last day of classes, December 3. No extension will be granted without formal request and unless authorized by the Associate Dean, Professor Haanappel.

N.B. Insurance - Mr. Nicholl - will be taught in the second term on Tuesdays and Thursdays - 8:30-10:00 a.m. instead of Mondays and Wednesdays - 8:30 - 10:00 a.m.

Intl. Bus. Enterprises - Prof. Castel - will be taught on the following Thursdays - 1-2 p.m., 4-6 p.m., and 7-8 p.m., January 15 and 29; February 29; March 12, 19 and 26. A total of 4 hours will be taught on each occasion.

New Course Next Term

The course (formally a Research Seminar) will be offered on Mondays from 4 to 6 throughout the term at 3647 Peel Street, Room 101, and will be devoted to a legal and philosophical examination of paternalism, or the circumstances in which legal barriers to freedom of choice are justified. A paper will be expected from students registered in the course. Students may not register for the course without the permission of its instructors, Frank Buckley, David Stevens and Mane Hagjin of the Department of Philosophy. Students who might be interested in registering for the course are asked to

Speak to one of the instructors as soon as possible.

Notes of Thanks

We would like to thank all members of the Moot Court Board for organizing this year's Bar Prize Moot. Special thanks to Profs Sklar, Klinck and Jutras as well as to students Francis Lamer and Scott Turner for giving of their time to help us prepare the pleadings. To the students who attended, your support was deeply appreciated.

Steve Schenke
Holly Cullen

The Quid's exciting new appearance this week compliments of the McGill Law Journal.

ATTENTION!

On Wednesday, January 21, 1987, at noon, the McGill Law Sports Committee will be staging its annual "Frostbite Mini-Marathon". This year, as an incentive to would-be participants, the first 25 runners who collect and hand in \$100.00 or more in donations will receive a pair of all-leather Reebok athletic shoes **ABSOLUTELY FREE!!**. Thanks to the tremen-

Cont'd on p. 3

LSA PRESIDENT'S UPDATE

by Maria Battaglia

MICRO-LEAK

Panic and paranoia seem to have hit Chancellor Day Hall, and it's not due to the approaching exams, but rather to the alleged leaking microwave in the cafeteria. However, there is no need to panic, the microwave has been checked by a C.V.C. employee and it is not leaking. McGill Student Society has assured me that should anything ever be wrong, it would be fixed immediately.

CAFETERIA CHANGES

Apart from the physical changes in the cafeteria, there will be other changes.

I sit on the SSMU Food and Beverage Committee which recommends to the Management of the Student Society Food and Beverage department ways and means to improve the services it renders.

I'm glad to report that our cries have been heard and there will be some changes in the coming year with respect to the cafeteria.

- 1) Extended cafeteria hours (8 A.M. to 6 P.M.).
- 2) Greater variety of food.
- 3) Lunch hour specials.

All three will be implemented as of the new year! The continuance of these added services will be contingent on sufficient student use.

A few weeks ago, many of you asked me why the cafeteria was not painted when the rest of the base-ment was.

When I asked Dean Macdonald he said that due to budgetary constraints, the university could not afford to paint the cafeteria. He continued by saying that this is caused by a combination of low tuition fees and the government's failure to properly fund universities.

On November 12, a health inspector from the Montreal Urban Community found the Law Cafeteria in such a state of uncleanliness as to be in breach of municipal by-laws.

The Inspector's Report contained four

problems that have to be corrected within 30 days or the Cafeteria will be shut down. Only one concerns us since the other three will be taken care of by the Student Society of McGill University (SSMU) and C.V.C. (Les Services Alimentaires C.V.C. is the catering service who contracts with SSMU, who in turn contracts with the LSA.)

In order to comply with health requirements the cafeteria must be painted! The Problem: Who will pay for the cafeteria clean up?

The LSA, SSMU or the University? Dean Macdonald contends that because the LSA and SSMU generate a small percentage of the profit from the cafeteria, we should jointly pay for the cleaning.

SSMU, V.P. Finance, Rich Chance, says that they will take care of any problems relating directly to the cafeteria's operation but not the painting of the room. The LSA refuses to pay for the upkeep of the building with student money that has been budgeted towards student activities and clubs!

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Dear Abby Initio

Dear Abby Initio,

As exams approach, I find myself examining the intellectual position involved in getting good marks. Given the risk of original thought, I find myself focussing on "How to please the professor in 3 1/2 hours or less" as opposed to "How to get the most out of a legal education." Under the present system, where my personal worth and my intellectual potential are rated according to the results of Clinic".

As many of you know, there is the opportunity to work o.

Compare the two: A prostitute says "I'll pretend I'm enjoying this for \$50." A law student says "I'll pretend I think like you for an A, A-, B+, B...." The main difference seems to be that the prostitute gets to decide on the price. The law student takes what he gets. The prostitute determines the price before getting screwed. Not so the law student. The official school line may be that we're free to think as we wish, but how free is a student who has a debt of student loans to pay off and knows that both the law school and the law firms base their decisions on marks? Is this perhaps a case for the doctrine of

unconscionability or perhaps its counterpart, lesion?

2nd year Hooker

Dear Hooker,

If you charge at least an A-, there will be no imbalance of prestations and lesion will not apply. And the question remains: "Who's exploiting whom? If you're not happy with your marks, there's always the Rosa Becker school of law. If that does not appeal to you, perhaps we could abolish the exam number system. With names on the exams, you could wear your knee-pads to school and be a real prostitute! Just remember this: if you are pressing and persistent you may get more than you bargained for.

Dear Abby Initio,

How come your penmanship sucks? You should try sitting down and typing your bloody contributions to the Quid Novi each week. I'm not a mind reader so please, in the future, try to write legibly when you submit all those pathetic problems and disconsolate responses.

Respectfully yours,

The Quid Novi
typist.

**Faculty Council
Cont'd from p. 1**

that it is bad pedagogy to attempt to teach law to 19 and 20 year olds who have had very little in the way of theoretical training or practical experience."

The Law Preparatory year is designed to make up for some of this perceived inexperience. "Obviously," the memo states, "more extensive pre-law training would be desirable, but it was felt that extending Law Prep beyond one year would require undue optimism about the prospects of the Faculty attracting the best CEGEP applicants to its law programme."

Under the proposal, students in the Law Preparatory year would have to amass 30-32 credits. A GPA of 3.4 would be required to proceed into B.C.L. 1, with the Admissions Committee retaining discretion to admit as well students with a GPA of 3.3. Of the 30-32 credits, 12 would be chosen from amongst several history, political science, and economics courses, 9 more would be selected from a larger sphere of social science and humanities courses, and the remainder would be unrestricted.

Faculty Council decided to return the proposal to the Admissions Committee for

further consideration. Further information can be obtained from either of the two student representatives on the Admissions Committee, Debbie Raicek or Gary Nachshen or from Professor Stevens.

**L.S.A. PRESIDENT
Cont'd from p. 3**

Dean Macdonald feels that should the cafeteria be shut down, it would at least leave more free space, albeit dirty, for student use.

Regardless of recent opinions that the cafeteria food is unappetizing, and the prices are too high, the cafeteria service is an asset to Chancellor Day Hall. Can you imagine having to leave the building every time hunger strikes?

Since I exhausted all the usual channels, I took the initiative of calling Sam Kingdon, the director of Physical Resources and the Man who operates the general budget of the university, to ask him to have the cafeteria painted.

Although skeptical at first as to who should paint the cafeteria, he told me to send a memo to the director of Physical Plant, who in turn will send a university inspector to verify the premises.

"Will the cafeteria be painted within thirty days?" I asked him.

His response: "We'll have to wait and see what our inspector will say."

Hopefully the health authorities will extend the thirty day limit with respect to painting the cafeteria until this conflict can be resolved!

In the meantime, keep eating and studying and best of luck on your exams! Stay tuned for more updates in the new year. Have a wonderful Holiday!

**Announcements
Cont'd from p. 2**

dous generosity of Chaussures Cité, we are able to make this offer to those of you who are willing to brave the January climate for a most worthy cause. The course itself will be run over a distance of approximately 8.5 km. - a truly "mini-marathon." A sign-up sheet will be posted on the sports board in the Pit, and sponsor sheets will be made available at SAO. Ten percent of all net proceeds will be donated to a Montreal-area charity, while the remaining proceeds will help fund our law school's participation in the upcoming Canada Law Games - February 4-8th in Sherbrooke. Any ques-

Cont'd on p. 6

XMAS Food & Toys Collection

by Teresa Scassa

As we all become obsessed with our various quests for the definitive summary, we find ourselves dragged further and further from what most people tend to think of as reality. Let's face it, these are stressful times. You just found out that the professor at whom you love to laugh may have actually taught you something. All your exams are on the same day, and your warm little holiday island has been the site of American nuclear testing for the last forty years. Your credit card is making little whining noises, and you haven't started your Christmas shopping.

Well, before you become a consumer on behalf of those who have everything, you might want to give some thought to those who don't. If there's one thing more depressing than the cafeteria food, it's the fact that to so many people in the city of Montreal, a meal in our cafeteria would be a real treat.

In what one can only hope is becoming a McGill law tradition, boxes have been set up around the faculty to collect donations of food and toys. Items collected will be given

to the Sun Youth organization to be distributed to needy families over the holiday season.

Students who feel a strain on their budgets at this time of year may well be able to understand the impossibility of the demands that can be placed upon single parents. The cheapest toy represents the cost of a basic meal. No parent should have to make an either/or choice.

Anyway, you've given food to the fat furry rodents on the front lawn, so you shouldn't have to be sold on giving to less fortunate members of our human community. Any non-perishable food donation will be welcome. But, as the organizer of the law school collection observed, the items amassed will go to make up Christmas baskets. Students should consider donating food that people with limited financial means might actually enjoy eating. We're not talking caviar, but we're not talking generic macaroni and cheese goop either. And while second hand toys are appreciated, there is something to be said for getting a He-man that no one's ever played with before.

So, between shopp-

ing for the forty dollar bottle of perfume for your ungrateful overgrown sibling, and buying the inevitable and unexciting parental tie, give some thought to filling our law baskets with food and toys. Just because you're writing exams doesn't mean the whole city has to be miserable. Well...give anyway.

Announcements

Cont'd from p. 5

tions you might have pertaining to the marathon or the Law Games should be directed to either myself or any of the other sports representatives at the school.

William Rosenberg
McGill

Law Sports Committee

Appel de France

Votre université est si connue que je m'adresse en premier lieu à vous; Je suis un étudiant en droit de quatrième année et parce que je m'intéresse à votre pays, j'ai fait l'année dernière une étude sur un contrat de distribution que je voulais à la fois en droit Canadien et en droit Français; mais la documentation en droit Canadien m'a manqué et surtout l'avis de praticiens,

Cont'd on p. 8

ALBERTA

HOWARD, MACKIE, Calgary, will be meeting with interested students from the Faculty of Law who will be graduating in the Spring of 1988 for the purposes of conducting articling interviews. Mid-January is the tentative date for the on-site visit. The exact date will be confirmed in a later issue of the Quid. Students interested in being considered for articles with this firm are asked to forward their Resumes to the attention of Mr. Michael A. Smith in advance of the tentative interview date. An information sheet has been posted in the Placement Centre and for full particulars regarding this visit, please refer to Posting #27.

CODE, HUNTER, Calgary, (firm outline posted in Placement Centre) will be hiring six students for articling positions commencing in the summer of 1988. This firm's practice is evenly divided between civil litigation and solicitor's work and they offer their articling students exposure to virtually all areas of the law. Interviewing for these positions will commence in December, 1986, and the firm anticipates that all articling positions will be filled prior to the end of February, 1987. Accordingly, all

serious candidates are encouraged to submit their C.V.'s as well as transcripts or summary of their university grades prior to January, 1987. Students attending out-of-province law schools are encouraged to arrange for an interview before the holiday season. All correspondence and inquiries should be directed to Mrs. Bev Kehler at Code, Hunter. Refer to Posting #28.

B.C.

CAMPNEY & MURPHY, Vancouver, will award two summer student scholarships in 1987. Students who will complete their second year of the LL.B programme in the Spring of 1987 are eligible to apply. The recipients of the Scholarships will spend the summer months working at the firm for a salary equal to that paid to full time articulated students. In addition, Campney & Murphy will pay third year tuition fees plus a book allowance of \$200. Interested applicants should send a resume and the names of three references to:

Mr. P.A. Shandro
Campney & Murphy
P.O. Box 49190
16th Floor
First Bank Tower
595 Burrard Street
Vancouver V7X 1K9

Refer to Posting #26.

ONTARIO

The Office of the

Placement Centre

Official Guardian, Ministry of the Attorney General, Toronto, has one remaining articling position available for the 1987/88 term. The Office of the Guardian represents children in Ontario in a wide range of legal matters including family law, civil litigation and trust/estate law. The Articling Student Committee will be conducting interviews for this position on Tuesday, December 23, 1986. Interested students should forward a copy of their C.V. and grades to the attention of Mr. Dan L. Goldberg. A brochure describing the articling student program is available for perusal in the centre and students should refer to Posting #29 for full particulars.

QUEBEC

LENGVARI, BRAMAN, TRUDEL, are a commercial law firm with established taxation and litigation sections, with clientele consisting primarily of small and medium businesses and their owner/managers. This firm wishes to engage students presently in their last year of law school for summer employment in 1987 and are also interested in interviewing students

Cont'd on p. 8

Placement Centre

Cont'd from p. 7

in earlier years concerning the possibility of part-time and summer employment and eventually articling with their firm. Interested candidates should send their C.V.'s and scholastic records to the attention of Mr. Richard Barbacki. Full particulars available on notice in Placement Office. Refer to Posting # 25.

Announcements

Cont'd from p. 6

aussi mon étude restet-elle modeste. C'est pourquoi j'aimerais trouver un étudiant Canadien qui soit intéressé par le projet suivant, peut-être dans le cadre d'un mémoire: lui l'analyserait en droit Canadien, moi en droit Français et à partir de là, une étude comparée serait possible et qui serait commune. D'autre part, nos correspondances pourraient permettre de se communiquer des documents qu'il est difficile de se procurer chacun dans notre pays respectif.

Olivier Ellul
rue Jacques Bounin
Croix d'Argent
34000 Montpellier
France

Dans l'attente de votre correspondance, veuillez agréer Mesdames et Messieurs, l'expression de mes sentiments distingués.

LOST

A property textbook (Mendes Da Costa and Balfour) has "disappeared". If it has been discovered, would the person in possession of it be honest and kind enough to return it (either to me personally or leave it at SAO) with due haste to whomever has the better claim to it; me in the present instance. It is desperately needed for upcoming exams.

Thank you
Hélène Tessier
BCL

LEGAL AID CLINIC

If you were a staffer at the Clinic this semester and would like to return next semester, please give us a list of your preferred two-hour shifts for next semester. If you want to join the Clinic for the first time, you can pick up application forms at the SAO. All applications and lists of preferred two-hour shifts can be left at the SAO in the brown envelope marked "Legal Aid Clinic".

As many of you know, there is the opportunity to work outside the Clinic at the following places: Project Genesis (deals mostly with the rights of social aid recipients); Loyola Campus of Concordia University (deals with problems that plague university students); downtown

campus of Concordia University; Women's Information and Referral Centre. There is the possibility of obtaining 2 credits (by way of the Legal Aid Clinic) either at Project Genesis or at the Loyola Campus of Concordia University. If you are interested in any of these outside placements, speak to Bettina Karpel.

Finally, we would like to thank all those staffers who gave of their time at the Clinic and in its satellite programmes to make the Clinic's operations as successful as they were.

Mark Chernin
Christine Caouette
Bettina Karpel
Andre Serero

Lord Beaverbrook Scholarship

Tenable at the Faculty of Law of the University of New Brunswick. A number of scholarships are available for students entering in September 1987 the first academic year of the course leading to the Bachelor of Laws degree at the University of New Brunswick and are renewable for the second and third years of the course. More info is available at SAO.

Prizes in Creative Writing

Chester MacNaghten Prizes in Creative Writing. Two prizes, one of \$450 and another of \$300 are offered annually in a competition for the best pieces of creative writing in English submitted by an undergraduate student of the University. Works submitted may be in prose or verse and may be fiction, drama or essay. The material should be carefully and properly presented. The judges will not read untidy manuscripts. Printed compositions are ineligible if they have been published before February 1, 1986. No

student may submit more than two entries. Entries must be typed and must reach the Scholarships Office in the Registrar's Office (Room 205 - F. Cyril James Administration Building) no later than February 1, 1987. Winning entries will be retained in the McLennan Library. The competition is restricted to students who have not previously won First Prize in this contest.

Exchanges: Quebec/ Canadian Provinces

Graduate Studies and Research Fellowships Office, Dawson Hall 311.

Deadline: January 23, 1987 in Fellowships Office. These recommendations must have the recommendation of and be signed by the Dean of Graduate Studies in order to be considered in Quebec. We will ensure that all applications are signed. Applications and information available at SAO. (Must submit 5 copies)

